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19 *Attorneys for Defendants WebMD Health Corp. and*
20 *WebMD Health Services Group, Inc.*

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MYMEDICALRECORDS, INC., a Delaware
corporation

Plaintiff,

v.

WEBMD HEALTH CORP., a Delaware corporation;
and WEBMD HEALTH SERVICES GROUP, INC.,
a Delaware corporation,

Defendants.

Civil Action No.
CV13-cv-07285-ODW (SHx)

**NOTICE OF MOTION AND
MOTION FOR SUMMARY
JUDGMENT OF NON-
INFRINGEMENT**

Date: January 5, 2015
Time: 1:30 p.m.
Location: Courtroom 11
Judge: Hon Otis D. Wright II

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on Monday January 5, 2014 at 1:30 P.M., or as
3 soon thereafter as would be convenient for the Court and the parties, before the
4 Honorable Otis D. Wright II, U.S. District Court, Central District of California,
5 Western Division in Courtroom 11, 312 North Spring Street, Los Angeles,
6 California 90012-4701 Defendants WebMD Health Corp. and WebMD Health
7 Services Group, Inc. (collectively "WebMD"), will move for an order granting
8 summary judgment on all of Plaintiff MyMedicalRecords, Inc. ("MMR") claims for
9 relief, pursuant to Federal Rule of Civil Procedure 56 and C.D. California Local
10 Rule 56-1 and 56-3.

11 This motion is made on the on the grounds that: WebMD's Health Record,
12 WebMD.com, WebMD Private Portal Applications, WebMD Data Integration and
13 WebMD Integration Services (collectively "the Accused Instrumentalities") do not
14 infringe claims 8-12 of U.S. Patent No. 8,301,466 ("the '466 patent") or claims 1-3
15 of U.S. Patent No. 8,498,883 ("the '883 patent") (collectively, "the Asserted
16 Claims") (collectively, the "Asserted Claims"); and (2) WebMD does not directly
17 infringe any methods of the Asserted Claims.

18 This motion is based on this Notice of Motion, the concurrently filed
19 Memorandum of Points and Authorities, the Statement of Uncontroverted Facts and
20 Conclusions of Law, the Declaration of Michel E. Souaya, the Declaration of
21 Christopher Brooks, the [Proposed] Judgment, the Application for an Order to File
22 Under Seal, the pleadings and papers on file in this action and upon any evidence
23 presented at the hearing on this motion.

24 This motion is made following a conference of counsel pursuant to L.R. 7-3
25 which took place on November 10, 2014.

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27 Dated: November 17, 2014 SHEARMAN & STERLING LLP
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By: _____

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